WETLANDS MANAGEMENT

Goal

Protect Wetland Values. Protect the hydrologic, habitat, subsistence, and recreational values of important public wetlands. Land management practices will be directed to avoid or minimize adverse impacts on the following important functions of wetlands.

- Wetlands filter nutrients and sediment from upland runoff.
- Wetlands stabilize water supplies by storing excessive water during flooding and by recharging groundwater during dry periods.
- Wetlands provide important feeding, rearing, nesting, and breeding grounds for many species; related recreational use and aesthetic values also are important.

Management Guidelines

A. Definition of Wetlands. For purposes of inventory and management of wetlands, DNR will use the definition adopted by the Bering Straits Coastal Resource Service Area:

Those areas inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation adapted for life in saturated soil conditions.

For purposes of these management guidelines, wetlands are further divided into two classes: Class I are freshwater wetlands with a locatable stream outlet (the stream shall be considered part of the wetland); Class II are freshwater wetlands with no outlets. See *Shoreline Development*, page 2-37, for guidelines on activities on or adjacent to tidelands.

Activities in wetlands may also be subject to provisions of the Federal Clean Water Act and the U.S. Army Corps of Engineers permit requirements related to the Clean Water Act. Compliance with these guidelines in this plan does not replace the need to comply with federal requirements.

B. Retention of Wetlands and Land Adjacent to Wetlands

1. Class I wetlands and surrounding lands will remain in public ownership unless DNR determines, after research and analysis and consultation with affected agencies, that they do not have sufficiently high water quality, water supply, habitat, subsistence, or recreation values to merit public ownership. Restrictive use covenants and public access easements, rather than public ownership, may be used to protect Class I wetlands and associated buffers under conditions specified in C below.

See *Stream Corridors and Instream Flow*, Guideline F, page 2-41, for types of structures allowed in publicly owned buffers, easements, and covenants.

Class I wetland buffers that are to be retained in public ownership will include, at a minimum, a 100-foot strip adjacent to the wetland unless the conditions in B3 below are met.

2. Class II wetlands and surrounding lands will be evaluated on an individual basis through the land disposal process or a land management plan to determine whether public retention or other measures are necessary to protect their values. Criteria used in this evaluation will include the wetland's importance to water quality, water supply, habitat, subsistence, or recreation values, and the costs of retaining the wetland.

3. Wetland buffers will be increased from the standards established in item 1 (above) if necessary because of the potential for adverse impacts on wetlands from development on adjacent lands. If, for instance, surrounding lands are steep and have high erosion potential or the proposed use poses a high risk to water quality or other values, buffer widths will be increased accordingly. When steep conditions exist, general guidelines should be used for increasing buffer width: if a 10 to 40 percent slope exists, the buffer width should increase 25 percent; if the slope exceeds 40 percent, the buffer width should increase 50 percent.

Wetland buffers may be decreased if land adjacent to the wetland is stable and development or use of it does not pose a risk to water quality or other values such as wildlife or recreation. In some cases buffers may need to be decreased to allow for an adequate buffer or setback on a nearby, more valuable river or lake.

C. The Use of Restrictive Use Covenants, Public Access Easements, or Setbacks. Restrictive use covenants, public access easements, or staking or building setbacks, rather than public ownership, may be used to protect Class I wetlands under the following conditions.

1. Where the configuration of the wetland is such that surveying the meandering boundary of the wetland would be excessively expensive. In this case an aliquot-part (rectangular) survey rather than a meander survey may be used along the edge of the wetland. This may result in small portions of wetlands being conveyed to private ownership. Where justified by the value of the wetland, restrictive use covenants, public access easements, building setbacks, or staking setbacks will be applied to ensure that those portions of wetlands and associated buffers conveyed to private ownership remain in a natural state and that public access and use are maintained.

2. Where an entire wetland is included within a parcel of land to be sold for private use. In this case, the wetland and associated buffer may be conveyed to private ownership. Where justified by the value of the wetland, restrictive use covenants should be used to ensure that the wetland and associated buffer remain in a natural state. If there is a stream outlet from such a wetland, public access easements shall be reserved adjacent to the outlet of the wetland.

D. Establishing Widths of Covenants, Easements, and Setbacks. Widths of covenants, easements, and setbacks will be determined using the same criteria used in establishing the widths of publicly owned buffers (Guideline B-3).

E. Defining Wetland and Wetland Buffer Boundaries. Boundaries should be defined through field inspection, interpretation of aerial photographs, or both. Field inspection is preferred, but will not always be possible because of cost. Where wetlands are particularly valuable and field inspection is not possible, boundaries should be sufficiently generous to allow for errors in interpretation. This will often be the case where aliquot parts are used to define wetlands rather than meander surveys.

Where covenants are used to protect wetlands conveyed to private ownership, boundaries of where the covenants apply may be defined by aliquot parts, or otherwise described so the landowner can clearly define where the covenant applies.

F. Permits for Dredge and Fill in State-Owned Wetlands. Permits that authorize dredging and filling in wetlands, including permits for gravel, sand, silt, and peat extraction and the construction of roads and pads, will not be granted unless the proposed activity will not cause significant adverse impacts to important fish and wildlife habitat or important ecological processes, or that no feasible and prudent alternative exists. Where it is not feasible and prudent to avoid such activities, other mitigative measures will be considered to meet the intent of this guideline. Permits will be consistent with coastal plan policies. See Fish and Wildlife Habitat, Guideline A, page 2-6.

G. Operation of Heavy Equipment in Wetlands. Permits issued for activities that require the use of heavy equipment in wetlands that have important hydrologic, recreation, or habitat values will, to the extent feasible and prudent, require that damage to wetlands and wetland vegetation be avoided. Only winter access should be used in or across wetlands whenever feasible. DNR will consult with other affected agencies and coastal districts prior to issuing permits when the ground is not frozen.

H. Approval of Other Activities in State-Owned Wetlands and Buffers. Activities such as establishing trails or issuing leases for commercial or noncommercial uses shall be considered on an individual basis. Such activities will be allowed by DNR in consultation with affected agencies, coastal districts, and communities, and only if they can occur without significant damage to the water, habitat, or recreation values of the wetland.

I. Other Guidelines Affecting Wetlands Management. Several other guidelines may affect wetlands management. See the following sections of this chapter:

Coordination and public notice
Fish and wildlife habitat
Grazing
Heritage resources
Lakeshore management
Materials
Public access
Public and commercial recreation
Stream corridors and instream flow
Subsurface resources
Trail management
Transportation and utilities